

PROB 12C
(7/93)Report Date: January 28, 2011
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

JAN 31 2011

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Paul Joseph Rogers

Case Number: 2:01CR02078-001

Address of Offender: [REDACTED] Yakima, WA 98908

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 4/4/2002

Original Offense: Distribution of a Controlled Substance, Methamphetamine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 40 Months; TSR - 60 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Jane Kirk

Date Supervision Commenced: 2/20/2009

Defense Attorney: Kraig Gardner

Date Supervision Expires: 8/19/2012

 PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

Special Condition #16: You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Paul Rogers submitted a urinalysis test on December 15, 2010, which tested positive for alcohol. Test results were confirmed by Alere Toxicology Services.

On December 15, 2010, the defendant submitted to a Breathalyzer test which tested positive for alcohol (BAC level .054). Mr. Rogers denied consuming alcohol and stated he had just used some mouthwash. The defendant then provided a urine sample which was sent to Alere Toxicology Services for testing. On December 29, 2010, he reported for an office visit and admitted to consuming alcohol on December 14, 2010.

Prob12C

Re: Rogers, Paul Joseph

January 28, 2011

Page 2

2

Special Condition #15: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Paul Rogers reported to Merit Resource Services (Merit) on December 21, 2010, and submitted a urinalysis test which tested presumptive positive for methamphetamine. Test results were confirmed by Alere Toxicology Services.

On December 29, 2010, the defendant reported for an office visit and admitted to using methamphetamine on December 19, 2010.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

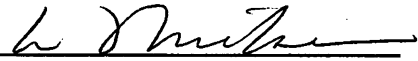
Executed on: 1/28/2011

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

1/31/11
Date